

REMARKS

Claims 1-43 remain pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

CLAIM OBJECTIONS

Claim 1 stands objected to for an informality. By this amendment, the term "density" is changed to "intensity" Favorable consideration of this change is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 25 and 44-46 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pregrant Publication 2001/0026348 to Murata et al. This rejection is respectfully traversed. Notwithstanding, to expedite prosecution, claim 25 is amended and claims 44-46 are cancelled.

Claim 25 now calls for the subject matter originally recited in claim 1. This subject matter was deemed allowable over the prior art. Inasmuch as claim 25 now recites this same subject matter, claim 25 should be allowable over Murata.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 1-10 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 (treated as a claim objection above). Claim 1 is

amended as stated above. Accordingly, claims 1-10 should be in condition for allowance

Applicant thanks the examiner for the indication that claims 11-24 and 26-43.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Reasons for allowance are only warranted in instances in which “the record of the prosecution as a whole does not make clear [the Examiner’s] reasons for allowing a claim or claims.” 37 C.F.R. 1.104 (e). In the present case, Applicant believes the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted, especially since the statement may unfairly focus on certain reasons for allowance which are not reflected by the prosecution history. Therefore, the record should reflect that Applicant does not necessarily agree with each statement in the reasons for allowance. For example, while Applicant believes the claims are allowable, Applicant may not unequivocally agree that patentability resides solely in the specific feature or combination of features identified, or that each feature or combination of features identified is required for patentability, or that equivalents of any of the recited features are outside the scope of the claims. Moreover, to the extent the reasons for allowance do not separately address the subject matter of all the claims, Applicant does not acquiesce to any inference that the non-addressed claims fail to present other reasons for patentability apart from the patentability of the claims which were specifically addressed by the Examiner.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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